

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

STATE OF TEXAS
Plaintiff,

v.

ALEJANDRO MAYORKAS, in his official
capacity as Secretary of Department of
Homeland Security; UNITED STATES
DEPARTMENT OF HOMELAND
SECURITY; MERRICK GARLAND, in his
official capacity as Attorney General of the
United States, UNITED STATES
DEPARTMENT OF JUSTICE,
Defendants.

No. 2:23-cv-00024

DEFENDANT’S NOTICE OF APPEAL OF FINAL ORDER

Defendant the State of Texas (“Texas”), by and through the Office of the Attorney General of Texas, appeals this Court’s Order entered on August 5, 2024, to the United States Court of Appeals for the Fifth Circuit. See Amended Order granting Motion to Dismiss, ECF No. 48. That Order granted the Motion to Dismiss First Amended Complaint filed by Alejandro Mayorkas, in his official capacity; U.S. Department of Homeland Security; Merrick Garland, in his official capacity; and U.S Department of Justice (collectively, the “Defendants”). See Amended Order granting Defendants’ Motion to Dismiss, ECF No. 48; see also Defendants’ Motion to Dismiss First Amended Complaint, ECF No. 34.

The order granting dismissal is appealable pursuant to 28 U.S.C. § 1291.

Dated September 3, 2024.

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

AUSTIN KINGHORN
Deputy Attorney General for Legal Strategy

RYAN D. WALTERS
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Respectfully submitted.

/s/ Ryan Kercher
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CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on September 3, 2024, and that all counsel of record were served by CM/ECF.

/s/Ryan Kercher
RYAN KERCHER